

REMARKS

The examiner rejected claim 1 under 35 USC § 102(b) as being anticipated by Shimizu et al. (U.S. Pat. No. 5,085,217). Applicants have amended claim 1 to include the limitations previously recited in claim 3, and respectfully request allowance of claims 1 and 4-8 in view of the present amendments. Amended claim 1 recites masses of hydrogel that are "elongated strips having widths less than the inter-electrode gap even when deformed under contact with the electrodes and the skin." This feature is not disclosed or suggested in the cited art. Rather, the examiner stated that this feature was well known in the art without citing any prior art. Applicant respectfully objects to the taking of Official Notice regarding this feature and requests that the Examiner cite patents and references in support of his position. Therefore, Applicants respectfully submit that claim 1 and dependent claims 3-8 should be allowed.

Applicants have added claim 30 to further define the claimed invention. Claim 30 recites "masses of hydrogel are sized and dimensioned as dots having diameters less than the inter-electrode gap on the scrim such that, for at least one orientation of the scrim relative to the electrodes, any masses positioned within the inter-electrode gap when the assembly is releasably applied to the electro-acupuncture device do not bridge the electrodes." Applicants respectfully submit that this limitation is not disclosed or suggested by the cited prior art. Thus, claim 30 should be allowed.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and allowance of the pending claims.

Respectfully submitted,

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